



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,110	07/31/2001	Allan N. Weiss	CSSK-026	3456

7590

05/20/2005

David M. Mello
McDermott, Will & Emery
28 State Street
Boston, MA 02109

EXAMINER

THEIN, MARIA TERESA T

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Non-Responsive Amendment

The reply filed on March 2, 2005 is not fully responsive to the prior Office Action because:

- In the "Response to Restriction Requirement", the Applicant is unclear to what is pending in the application the new claims 48-71 or the elected Group 1 claims 1-29 or claims 1-29 and 48-71. Applicant is advised to present what is pending in this application.
- In the claims listing, all of the claims presented in a claim listing shall be presented in ascending numerical order. Consecutive claims having the same status of "canceled" or "not entered" may be aggregated into one statement (e.g., Claims 1-5 (canceled)). In Applicant's claim listing, the Applicant's present "Claims 1-7 (withdrawn)" it should be claims 1-47. It is also unclear if the Applicant's cancels claims 1-47 or withdraws the claims. If the Applicant withdraws the claims, the text of the withdrawn claims must be presented. See 37 CFR 1.121 (c).

Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE

Art Unit: 3627

(5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marissa Thein whose telephone number is 571-272-6764. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on 571-272-6788. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mtot
May 13, 2005

Michael Cuff 5/13/05
MICHAEL CUFF
PRIMARY EXAMINER